REMARKS

Claims 1 and 2 were rejected under 35 U.S.C. § 112, first paragraph as not being enabled by the specification.

Claims 1 and 2 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent 6,063,515 (Epp).

Claim 2 was rejection under 35 U.S.C. § 103(a) as being unpatentable over Epp.

Rejections Under 35 U.S.C. §112

Claims 1 and 2 were rejected under 35 U.S.C. § 112, first paragraph as not being enabled by the specification. Claims 1 and 2 were also rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claim 1 was amended to correct the asserted deficiencies.

In view of the above amendment to claim 1, withdrawal of the rejections is respectfully requested.

Withdrawal of the rejections of claims 1 and 2 under 35 U.S.C. §112, first paragraph and 35 U.S.C. §112, second paragraph thus is respectfully requested.

Rejection Under 35 U.S.C. §102(b)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Epp.

Epp discloses an integrated electrochemical fuel cell electric power generation system for use in submarines. (Col. 1, Lines 6 to 9). The system contains a fuel processor with a diffusion membrane hydrogen separator that is used to obtain a substantially pure hydrogen stream from a reformate stream. (abstract; Col. 3, Lines 36 to 40). The system also contains a fuel cell stack that has an anode and a cathode. (Col. 1, Lines 13 to 18). The hydrogen stream from the fuel processor is then sent to anode side of the fuel cell stack, where an ion exchange membrane isolates the hydrogen steam from an oxygen stream on the cathode side of the fuel cell stack. (Col. 2, Lines 31 to 40; Col. 1., Lines 13 to 26).

Claim 1 recites: "a method for controlling a fuel cell system, in which a hydrogen-containing reformer gas is produced in a reformer unit by selectively separating the reformer gas

from a gas mixture using a diaphragm module having a separation diaphragm, the method comprising:

during normal operation of the fuel cell system:

keeping the gas mixture at a higher pressure than the separated reformer gas;

supplying the reformer gas to an anode side of a fuel cell module; and

supplying an oxidation agent to a cathode side of the fuel cell module, the fluids on the anode side and the cathode side of the diaphragm module being separated by a separation diaphragm unit; and

in case of the bursting of the diaphragm:

holding a pressure differential between a side of the reformer unit facing the anode side and the cathode side of the fuel cell module below a predefined value.

Epp does not disclose a method comprising "in case of the bursting of the diaphragm: holding a pressure differential between a side of the reformer unit facing the anode and the cathode side of the fuel cell module below a predefined value." Epp mentions only how the system it discloses functions while the diffusion member hydrogen separator remains intact. Epp does not disclose what happens when the diffusion member hydrogen separator breaks. The Office Action incorrectly asserts, it is respectfully submitted, that Epps discloses that "if the hydrogen separation diaphragm breaks, a pressure differential between the anode and the cathode side of the fuel cell is held below a predefined value," but fails to cite where in the Epp disclosure this scenario is mentioned. Therefore, Epp fails to teach all of the limitations of claim 1.

Withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by Eppthus is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

Claim 2 was rejection under 35 U.S.C. § 103(a) as being unpatentable over Epp.

In view of arguments with respect to claim 1, withdrawal of the rejection to claim 2 is respectfully requested.

Conclusion

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,
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